# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	) Civil Action No
Plaintiff	) )
v.	) <u>FILED UNDER SEAL</u>
\$1,776,883.72 in United States Currency previously held in JP Morgan Chase Bank	) )
Accounts 635010039 and 565001198,	)
Defendant.	)

## **VERIFIED COMPLAINT FOR FOREITURE IN REM**

Plaintiff, the United States of America, by and through David C. Weiss, United States Attorney for the District of Delaware, and Jesse S. Wenger, Assistant United States Attorney, brings this complaint and alleges as follows:

## **NATURE OF THE ACTION**

1. This is a civil action *in rem* to forfeit and condemn to the use and benefit of the United States of America the above-captioned Defendant Property, in accordance with 18 U.S.C. § 981, as property involved in, or traceable to, violations of 18 U.S.C. §§ 1343, 1956, and 1957.

## **JURISDICTION AND VENUE**

- 2. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355(a).
  - 3. Venue lies in this District pursuant to 28 U.S.C. § 1355(b)(1)(A).

#### **DEFENDANT** IN REM

4. The Defendant Property consists of \$1,776,883.72 in United States Currency that was seized by the Federal Bureau of Investigation on or about May 29, 2024 (the "Defendant Property"). At the time of seizure, the Defendant Property was held in JP Morgan Chase bank account 635010039 and had previously been held in JP Morgan Chase bank account 565001198.

#### **STATUTORY BACKGROUND**

- 5. Pursuant to 18 U.S.C. § 981(a)(1)(C), any property, real or personal, which constitutes, is derived from, or is traceable to a violation of any offense constituting a specified unlawful activity as defined in 18 U.S.C. § 1956(c)(7)(A), such as 18 U.S.C. § 1343, is subject to forfeiture.
- 6. Pursuant to 18 U.S.C. § 981(a)(1)(A), any property, real or personal, involved in or traceable to a violation of 18 U.S.C. §§ 1956 or 1957, is subject to forfeiture.

#### **FACTS**

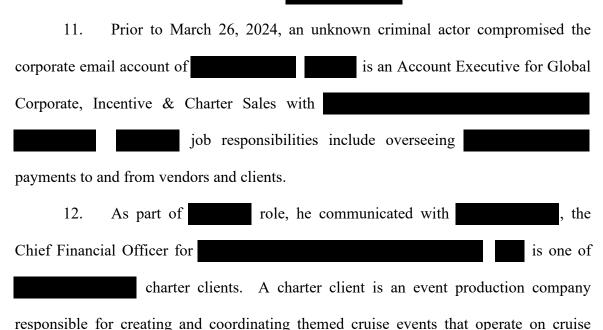
## **Background Terminology**

- 7. The term "Romance Fraud" refers to a specific type of fraudulent conduct in which a perpetrator feigns romantic intentions towards a victim, gains the victim's affection, and then uses that goodwill to commit fraud against that victim, or uses that victim as an unwitting accomplice in other fraudulent schemes.
- 8. The term "Business Email Compromise" ("BEC") refers to a specific type of cyber-crime in which a criminal actor uses access to the email account of a target to trick individuals, organizations, or businesses into redirecting funds, usually by wire or

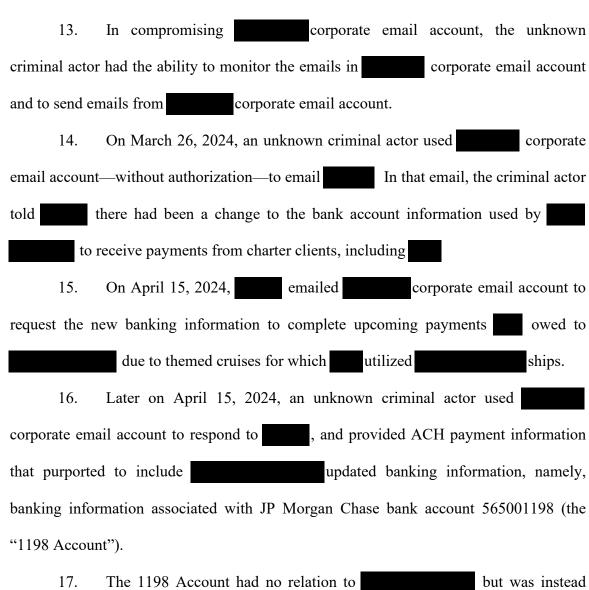
ACH transfer, to bank accounts controlled or accessed by the criminal actor or other coconspirators.

- 9. The term "Money Mule" refers to an individual who receives stolen funds into their bank account and transfers those funds to other bank accounts at the direction of a criminal actor.
- 10. Money Mules frequently begin as victims of Romance Fraud and are unaware of the criminal actions of the organization conducting these fraud schemes. Criminal organizations use Money Mules as part of an effort to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of their fraud schemes.

## The BEC of



ships provided by



- 17. The 1198 Account had no relation to but was instead controlled by Romance Fraud victim M.D., a Delaware resident, who had been victimized by unknown criminal actors over the internet.
- 18. After receiving the updated banking information from the unknown criminal actor using corporate email account, issued five payments to the 1198 Account totaling \$2,201,598 as reflected below:

Date of Transaction	Originating Company Name	Transaction Description	Amount
4/19/2024			\$650,719.00
4/25/2024			\$450,155.00
4/29/2024			\$650,719.00
4/30/2024			\$250,000.00
5/6/2024			\$200,000.00
			Total: \$2,201,593

19. The originating company name in the chart above reflects the Limited Liability Company ("LLC") name created by for each charter cruise for which payments were made to the 1198 Account. Each LLC is a separate entity with an individual operating agreement and a unique account with Midwest Regional Bank.

#### The Romance Fraud on M.D.

- 20. M.D., a Delaware resident, began an online romantic relationship with someone going by the name "Laurie Paulson" in 2021. "Paulson" sent pictures, purportedly of herself, to M.D., and claimed to be a member of the United States Air Force ("USAF") deployed in Ukraine. "Paulson" also provided her date of birth to M.D.
- 21. The name and date of birth provided by "Paulson" do not match any individual with any current or prior affiliation with the USAF.
- 22. Upon information and belief, the individual M.D. believed to be "Paulson" was an unknown criminal actor perpetrating a Romance Fraud scheme against M.D.

- 23. "Paulson" made repeated financial requests of M.D., which resulted in M.D. falling into tens of thousands of dollars in debt based on the financial assistance he provided to "Paulson."
- 24. After falling into debt, "Paulson" instructed M.D. to register a business entity, M.D. LLC, as well as open a business bank account in the name of M.D. LLC. M.D. registered M.D. LLC in Delaware and opened the 1198 Account at JP Morgan Chase in the name of M.D. LLC.
- 25. "Paulson" deceived M.D. into believing that the 1198 Account would start receiving large sums of money derived from investment income generated by "Paulson's" father. Upon information and belief, that was a ruse used by the unknown criminal actor to turn M.D. into a Money Mule to receive, conceal, and launder proceeds of internet-based fraud, such as BECs.
- 26. Between April 19, 2024, and May 6, 2024, the 1198 Account received five deposits, reflected in the chart below:

Date of Transaction	Originating Company Name	Transaction Description	Amount
4/19/2024			\$650,719.00
4/25/2024			\$450,155.00
4/29/2024			\$650,719.00
4/30/2024			\$250,000.00
5/6/2024			\$200,000.00
		•	Total: \$2,201,593

<sup>&</sup>lt;sup>1</sup> The business entity contained the full first and last name of the romance fraud victim.

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- 27. "Paulson" subsequently instructed M.D. to further transfer a portion of the above-referenced funds to other individuals, through, among other means, wire transfers and cryptocurrency conversions. M.D. was in Delaware when he performed those actions.
- 28. On or about May 2, 2024, M.D. learned that a \$59,550 check was written on the 1198 Account that he did not authorize. That prompted M.D. to question his relationship with "Paulson" and caused him to alert JP Morgan Chase to the financial activity occurring in the 1198 Account.
- 29. JP Morgan Chase successfully froze the funds in the 1198 Account and transferred the funds to a new account—account number 635010039 (the "0039 Account").
- 30. Before JP Morgan Chase froze the funds, "Paulson" had caused M.D. to transfer several hundred thousand dollars to other individuals.
- 31. On May 28, 2024, a magistrate judge in the District of Delaware issued a Warrant to seize the Defendant Property. *See* Case No. 24-173M (Under Seal). At the time that warrant was executed, the 0039 Account had \$1,776,883.72 (the Defendant Property) remaining that was tied to the BEC on \_\_\_\_\_\_\_ The Federal Bureau of Investigation received the Defendant Property, by way of check, on June 3, 2024.

#### PRAYER FOR RELIEF

32. Plaintiff repeats and realleges each and every allegation set forth in the paragraphs above.

33. As a result of the foregoing, the Defendant Property is liable to condemnation and to forfeiture to the United States for its use, in accordance with 18 U.S.C. §§ 981(a)(1)(A) and 981(a)(1)(C).

WHEREFORE, Plaintiff respectfully requests that due process issue to enforce the forfeiture of the Defendant Property, that due notice be given to all interested parties to appear and show cause why forfeiture should not be decreed, that the Defendant Property be condemned and forfeited to the United States to be disposed of according to law, and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

DAVID C. WEISS United States Attorney

By: /s/ Jesse S. Wenger
Assistant United States Attorney
1313 N. Market Street
P.O. Box 2046
Wilmington, DE 19899-2046
(302) 573-6277
jesse.wenger@usdoj.gov

Dated: August 7, 2024

**VERIFICATION** 

I, Special Agent Katherine Martinez, hereby verify and declare under penalty of

perjury that I am a Special Agent wit the Federal Bureau of Investigation, that I have read

the foregoing Verified Complaint In Rem and know the contents thereof, and that the

matters contained in the Verified Complaint In Rem are true to my own knowledge,

except that those matters herein stated to be alleged on information and belief and as to

those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are

the official files and records of the United States, information supplied to me by other law

enforcement officers, as well as my investigation of this case, together with others.

I hereby verify and declare under penalty of perjury that the foregoing is true and

correct.

Dated: August 6,2024

Katerine Martinez Special Agent, FBI

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The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS			DEFENDAN	ΓS		
(b) County of Residence of First Listed Plaintiff  (EXCEPT IN U.S. PLAINTIFF CASES)  (c) Attorneys (Firm Name, Address, and Telephone Number)  Jesse S. Wenger, Assistant United States Attorney  1313 N. Market Street, Suite 400, P.O. Box 2046  Wilmington, DE 19801			Ca  County of Residence of First Listed Defendant  (IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.  Attorneys (If Known)			
II. BASIS OF JURISDI	ICTION (Place an "X" in G	One Box Only)	 I. CITIZENSHIP OF	PRINCIPAL PARTIES	(Place an "X" in One Box for Plainti	
■ 1 U.S. Government Plaintiff	☐ 3 Federal Question (U.S. Government)	Not a Party)	(For Diversity Cases On Citizen of This State	ly)  PTF DEF  1 1 Incorporated or P  of Business In		
☐ 2 U.S. Government Defendant	☐ 4 Diversity (Indicate Citizensh	ip of Parties in Item III)	Citizen of Another State	☐ 2 ☐ 2 Incorporated and of Business In	Principal Place 5 5 5 Another State	
			Citizen or Subject of a Foreign Country	□ 3 □ 3 Foreign Nation	□ 6 □ 6	
IV. NATURE OF SUIT		nly) DRTS	FORFEITURE/PENALT		of Suit Code Descriptions. OTHER STATUTES	
□ 110 Insurance □ 120 Marine □ 130 Miller Act □ 140 Negotiable Instrument □ 150 Recovery of Overpayment & Enforcement of Judgment □ 151 Medicare Act □ 152 Recovery of Defaulted Student Loans (Excludes Veterans) □ 153 Recovery of Overpayment of Veteran's Benefits □ 160 Stockholders' Suits □ 190 Other Contract □ 195 Contract Product Liability □ 196 Franchise    REAL PROPERTY   □ 210 Land Condemnation □ 220 Foreclosure □ 230 Rent Lease & Ejectment □ 245 Tort Product Liability □ 290 All Other Real Property	PERSONAL INJURY    310 Airplane   315 Airplane Product   Liability   320 Assault, Libel &   Slander   330 Federal Employers'   Liability   340 Marine   345 Marine Product   Liability   350 Motor Vehicle   Product Liability   360 Other Personal   Injury   362 Personal Injury -   Medical Malpractice   CIVIL RIGHTS   440 Other Civil Rights   441 Voting   442 Employment   443 Housing/   Accommodations   445 Amer. w/Disabilities -   Employment   446 Amer. w/Disabilities -   Other   448 Education	PERSONAL INJURY    365 Personal Injury - Product Liability   367 Health Care/ Pharmaceutical Personal Injury Product Liability   368 Asbestos Personal Injury Product Liability   368 Asbestos Personal Injury Product Liability   370 Other Fraud   371 Truth in Lending   380 Other Personal Property Damage   385 Property Damage   385 Property Damage Product Liability    PRISONER PETITIONS   Habeas Corpus:   463 Alien Detainee   510 Motions to Vacate Sentence   530 General   535 Death Penalty Other:   540 Mandamus & Other   550 Civil Rights   555 Prison Condition   560 Civil Detainee - Conditions of Confinement	☐ 625 Drug Related Seizure of Property 21 USC 8:	422 Appeal 28 USC 158     423 Withdrawal	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC ☐ 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and ☐ Corrupt Organizations ☐ 480 Consumer Credit ☐ (15 USC 1681 or 1692) ☐ 485 Telephone Consumer ☐ Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/ Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 895 Freedom of Information ☐ Act ☐ 896 Arbitration ☐ 899 Administrative Procedure ☐ Act/Review or Appeal of ☐ Agency Decision ☐ 950 Constitutionality of State Statutes	
	moved from 3 atte Court Cite the U.S. Civil Sta	Appellate Court		007	n - Litigation -	
VII. REQUESTED IN	Civil Forfeiture pu	ursuant to 18 USC 987 IS A CLASS ACTION	1 for violations of 18 US DEMAND \$	•	y if demanded in complaint:	
COMPLAINT: VIII. RELATED CASI IF ANY		JUDGE		JURY DEMAND DOCKET NUMBER	J. LIES ZINO	
DATE 08/07/3924		SIGNATURE OF ATTOR		BOCKET NUMBER		
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#### INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- **I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

  United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)

- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.
- V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date. Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.

Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.

PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statue.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

  Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.

  Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.